

## EXTENSIONS OF REMARKS

JUDICIAL REVIEW: ABSOLUTELY  
(BUT MAYBE NOT)HON. G.V. (SONNY) MONTGOMERY  
OF MISSISSIPPI

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. MONTGOMERY. Mr. Speaker, those of us who serve in public office are often confronted with difficult decisions. We are tempted at times to agree with both sides of an issue. However, the public, and particularly the press, holds us accountable and discourages us from taking the easy way out on hard issues. As public officials, we are bound to make the hard choices.

Evidently, there is no such burden on editorial writers. For some, hard choices and consistency take a back seat. As an example, let me compare two editorials concerning veterans issues that have appeared in the New York Times within the past 3 months.

Recently, the Times commented on the delay in the settlement of the litigation brought by veterans against the chemical companies which manufactured the defoliant used in Vietnam, agent orange. As I read the editorial, its logic is as follows:

First, there is little evidence that agent orange has caused disease among veterans who served in Vietnam.

Second, the attorneys who brought the suit against the manufacturers of agent orange depended on fears, not facts—"on their ability to haunt a jury with a parade of injuries and on the fear of the chemical companies and their insurers that however many cases they might win, they could not afford to fight them all."

Third, the settlement in this case was the result of a seasoned judge who encouraged the companies to settle with the veterans even though there was no evidence that agent orange caused maladies or birth defects in the offspring of Vietnam veterans. The judge also correctly reduced the attorneys' outrageous fee requests from \$40 to \$9 million.

Fourth, despite the greed of the lawyers and the lack of proof, the Times supports a prompt approval of the settlement, without any further appeals or delays, as the only "equitable solution," the only way to ensure that the veterans get some money.

The Times concludes that the courts are not well equipped to administer claims for disability benefits from a large group of persons, such as veterans who may have been exposed to agent orange. According to the Times, the system used by the courts just isn't designed for resolving such claims.

Mr. Speaker, only 2 months earlier, the Times endorsed a change in the process used by the Federal Government to decide veterans' disability claims. The change which the Times endorsed would allow a dissatisfied veteran and his attorney to go to court to reverse

the VA's decision. What would result is that veterans with sympathetic cases, or those cases which were not vigorously defended by U.S. attorneys, would receive benefits. The same pressures which forced the settlement of the claims against the chemical companies would force the United States to settle many other cases, regardless of their merit. If this change in the present adjudication procedure were enacted, cases involving more severe and dramatic disabilities would run the full gamut of the legal process, the same process the Times describes as inadequate to resolve claims by groups of persons who are injured or contract disease through no fault of their own.

One might well ask who would benefit from the change endorsed by the Times? Some deserving veterans might, at least at first, as would some undeserving veterans. But who could tell whether the judgment in a particular case was really fair?

What the advocates of judicial review often ignore is the fact that the judiciary that interpreted the Constitution in a way that outlawed segregated schools is the same institution that enforced the fugitive slave laws. As a distinguished law professor from Yale University pointed out in his testimony before our committee, the debate over whether and how veterans who were exposed to agent orange in Vietnam should be compensated does not justify a move toward general judicial review of all VA decisions.

The executive director of the Disabled American Veterans recently wrote that public policy with respect to veterans whose claims have been denied should be resolved in the Congress, in a democratic manner, after hearing the views of as many informed parties as possible. While some groups think it is necessary to hire paid lobbyists to persuade the press and Members of the Congress of the correctness of their cause, the views of the veterans who served are the voices that are most clearly heard in our committee.

Mr. Speaker, some critics charge that the existing system is perhaps overgenerous, while proponents for judicial review of veterans' claims complain that the current adjudication procedure prevents too many veterans from receiving benefits for disease or disability incurred in the service of their country. The value of expanded judicial review of VA disability determinations often depends on the perspective of the commentator. I support a system that gives veterans the benefit of the doubt. I just don't think that the courts are any better at reaching a just resolution of veterans' claims than the VA. It would appear from the following two editorials that the Times would like to have it both ways. Unfortunately, such luxury is not available to Members who serve in the U.S. House and Senate.

[From the New York Times, July 16, 1986]

## SOME VETERANS DESERVE A DAY IN COURT

A veteran who feels shortchanged by the Veterans Administration as it distributes \$15 billion in benefits each year cannot normally take the agency to court. Many veterans accept the denial of judicial review in the belief that the Veterans Administration's internal review process is fair enough. But Vietnam veterans call it unfair. Congress should heed their complaint.

Judicial review for veterans' benefit claims was prohibited to hold down Government costs during the Great Depression. A veteran who seeks to secure benefits goes first to a regional board. If no satisfactory settlement is reached, the case goes to the Board of Veterans Appeals, which approves fewer than 14 percent of the 45,000 claims it hears annually. Only claims raising constitutional issues may go on to court.

The Veterans Administration, however, may sue veterans who receive excessive benefits, a right that it invokes against 35,000 veterans each year. Even defending against such suits amounts to lopsided justice. A Federal law dating to the Civil War limits lawyers' fees in veterans' cases to \$10.

Nevertheless, traditional lobbies like the American Legion and Disabled American Veterans defend the current system. They say most cases are settled well before they reach the final appeal stage. Review by Federal courts, they fear, would turn the present informal system into a more adversarial and costly process.

The Vietnam Veterans of America, however, presses for the right to go to court. It believes recent veterans now fare worse than older veterans, particularly on claims for post-traumatic stress disorders. Their plea has met with considerable sympathy in Congress. Bills that would honor it have passed the Senate three times, but have been blocked by the chairman of the House Veterans Affairs Committee, G.V. Montgomery.

Several members of the House Committee propose a law that would codify the regulations now relied on by the Veterans Administration and permit the courts to reverse the agency only when its decisions are judged arbitrary. They would retain the \$10 fee limit when lawyers represent veterans before the Veterans Administration but permit more reasonable fees for representation in court. That sounds like a fair compromise.

[From the New York Times, Sept. 4, 1986]

## AGENT ORANGE—LET IT LIE

The vexed case of Agent Orange has been laid almost to rest by a solution that is almost a lie. But now, at the last minute, the U.S. Court of Appeals for the Second Circuit seems poised to overthrow Federal Judge Jack Weinstein's elegantly contrived solution with a narrow insistence on the truth. That would be an error that would fruitlessly prolong Vietnam veterans' tormented search for solace.

The veterans came home from a war no one wanted to hear about. With reason, many resented the neglect. They were too prone to believe a rumor, beginning years

● This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

after the war's end, that Agent Orange, the herbicide sprayed in Vietnam, was the cause of many of their illnesses. An avid legion of tort lawyers stoked their fears and filed thousands of suits against the herbicide's makers.

The medical case against Agent Orange is but shadow. True, the herbicide contained minute amounts of dioxin, a potent poison. But poisoning depends on dose as well. In 10 years, across six million acres, just 368 pounds of dioxin were sprayed. Could the faint residues surviving in the soil and water of Vietnam somehow get into troops in quantities to cause disease? Conceivable, but far from likely. The veterans have no obvious symptoms for which dioxin might be the explanation. Their diseases so far seem to be the same as other people's. The pilots who sprayed Agent Orange were far more exposed than any ground troops, but they too have shown no unusual pattern of disease.

The Agent Orange lawyers depended not on facts but fears—on their ability to haunt a jury with a parade of injuries and on the fear of the chemical companies and their insurers that however many cases they might win, they could not afford to fight them all. Sure enough, the companies were happy to buy their way out of an avalanche of litigation with a \$180 million settlement, and the lawyers filed to cream off some \$40 million in fees.

But they hadn't reckoned with a judge who both understood their manipulations of the tort system and was prepared to impose his own conception of justice. First, Judge Weinstein reduced the lawyers' fees to \$9 million. Then, saying they had not proved causation, he rules that all severely diseased veterans should be eligible for a share of the settlement. But to keep the payouts reasonably substantial, he also made the likely degree of exposure to Agent Orange a criterion. As the veterans' groups desired, he proposed creating a fund to provide services to families with birth defects.

The veterans are eager to start benefiting from Judge Weinstein's plan. But their lawyers, contrary to the veterans' interests, have now appealed it. And the appellate court seems clearly tempted to reject the plan and require that causation must be proved. That is a recipe for the chaos the plan was meant to avert. Instead of compensating the whole class of disabled veterans, the settlement fund would go, after further long delay, to those who drew sympathetic juries.

Since there's still no proof that any veteran was actually harmed by Agent Orange, it is surely better to use the money to help the larger group. Judge Weinstein's plan would resolve the Agent Orange nightmare, now eight years in the making—even though in denying causation it flouts a basic premise of tort law. The circumvention is necessary to an equitable solution. The courts do not usually do well in handling mass tort cases like this one. It's the tort system that needs changing, not Judge Weinstein's innovation and careful solution.

## HOW TO IMPROVE THE HELSINKI PROCESS

HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. GARCIA. Mr. Speaker, my friend and colleague from the North Atlantic Assembly, Mr. Gianfranco Astori, an Italian Member of Parliament, wrote an excellent essay on how to improve the human rights provisions of the Helsinki Accords for the International Herald Tribune.

As Chairman of the Assembly's Civilian Affairs Committee's Subcommittee on the Free Flow of Information and People, Mr. Astori attended the recent CSCE review conference in Bern, Switzerland. In his essay, Mr. Astori describes the progress and problems of the CSCE process, particularly with regard to the human rights provisions. I am inserting that essay in the RECORD for my colleagues' perusal. I am certain that they will find it as enlightening as I have.

In addition, I would like to mention that the Subcommittee on the Free Flow of Information and People is visiting Washington this week for a series of meetings to discuss human rights in an East-West context. I would like to welcome them to Washington on behalf of myself and my colleagues.

[From the International Herald Tribune]  
FOR COOPERATION TO IMPROVE THE HELSINKI PROCESS

(By Gianfranco Astori)

(The writer, a Christian Democratic member of the Italian Parliament, is chairman of the Subcommittee on the Free Flow of Information and People of the Civilian Affairs Committee of the North Atlantic Assembly.)

BRUSSELS.—Despite the less than encouraging outcome of the recent review conference in Bern of the Commission on Security and Cooperation in Europe, during which the United States vetoed a compromise resolution presented by neutral participants, some lessons may be drawn from events surrounding the six-week session especially in the area of increasing public participation in the Helsinki process.

As a member of the North Atlantic Assembly, the interparliamentary organization of NATO, I participated in meetings between alliance parliamentarians and diplomats delegated to the conference.

It is now 11 years since 35 countries—from Eastern and Western Europe, the United States and Canada—signed the Helsinki Final Act. The act provided a means for Western countries to encourage change in Eastern Europe by improving human rights and enhancing the flow of information and people. It also served to recognize as inviolable the postwar borders of Eastern Europe.

Western expectations for positive change have waned since the heyday of détente, but the Helsinki process has nevertheless been successful in some areas of human rights. Although the halcyon days of Solidarity are over, public opinion in Poland still finds more voice than it could ever have found in the '70s. Hungary, too, has relaxed restrictions on public expression and eased freedom of movement. But improvement has been piecemeal at best. Human rights viola-

tions remain the norm, not the exception, in East Bloc countries.

As chairman of the North Atlantic Assembly's Subcommittee on the Free Flow of Information and People, I sought to arrange our recent meetings in Bern to highlight a key aspect of the Helsinki process: that of participation by citizens. The Helsinki process is about not only fostering diplomatic contacts but also expanding people-to-people ties.

With its frequent meetings, the CSCE process already affords citizens a chance to influence human rights. They cannot actually participate in the talks, but many citizen groups observe meetings. The parliamentary participation in the CSCE, which my subcommittee is seeking to foster, would encourage more public activism in human rights issues.

This is such an important aspect of the CSCE process that the Soviet Union is trying to keep meetings closed to observers. The U.S. Congress's CSCE commission participated in the Bern talks. Canada and Norway also include parliamentarians in their CSCE delegations.

If the West's goal in the Helsinki process is to protect human rights in the short term and to achieve longer-term transcendence of East-West divisions in Europe, diplomats on both sides must avoid approaching human rights in a bloc-to-bloc fashion. In the past, this approach has only reinforced existing barriers. Western human rights policy must be more flexible and varied.

One of the achievements of the last few years has been the "Europeanization" of Eastern Europe. During the Bern meeting the language used by the Soviet delegates was echoed only by the Bulgarian delegation. One of the sad aspects of the U.S. decision to block adoption of a document at the last moment has been that such Europeanization has not been encouraged.

Contacts at the parliamentary level would decentralize the Helsinki process. While not seeking to compete with national governments, legislators can nevertheless endow the CSCE review process, and human rights monitoring in general, with much needed flexibility.

Ultimately, complementary roles exist for governments, parliaments and the public. In combination, these three forces may indeed form a structure conducive to creative diplomacy.

Naturally, there are far more facets to Western relations with the East than human rights. But when discreet government initiatives fail to secure the release of prisoners of conscience and when Eastern governments persist in attacking religious and artistic freedom, national parliaments can step in as consciousness raisers. They are in a unique position to cultivate human rights groups which, in turn, can monitor compliance with Helsinki's human rights provision.

But for parliaments to participate effectively in the Helsinki process, they must necessarily be well apprised of developments on the human rights front. The U.S. Congressional Commission on Security and Cooperation in Europe, with which my subcommittee regularly meets, provides an excellent example of how legislatures may be kept up-to-date on Helsinki-process developments. The U.S. panel provides an example for all NATO legislatures in establishing their own such organizations. Such committees would provide channels for human rights-oriented groups to make their influence felt in governmental policy-making.



They would also act as a spur on governments to improve their own policies.

However, parliamentary participation can and should go beyond the mere creation of parliamentary CSCE committees. National legislators can also act as observers or even participants in the CSCE human rights or cultural review meetings.

The work of the Subcommittee on the Free Flow of Information and People represents only a small step in the right direction. However, through this body the assembly can exert more influence on national parliaments through its members in order to work toward the establishment of an alliance-wide process of parliamentary monitoring. The end result can only be an improvement of the Helsinki process with increased participation by the people and better treatment for those currently deprived of their rights.

#### PEACE CORPS: CELEBRATING 25 YEARS OF DEDICATION TO HUMANITY

#### HON. NICHOLAS MAVROULES

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. MAVROULES. Mr. Speaker, I rise today to recognize a program in which all Americans can take great pride. This weekend marks the celebration of the 25th anniversary of the Peace Corps, a program which has built a tradition of friendship, peace, and dedication to humanity.

Twenty-five years ago, President John F. Kennedy made a commitment to a "Peace Corps of talented young men and women \* \* \* to serve the great Republic and serve the cause of freedom." Today, the Peace Corps still embodies the spirit of cooperation and understanding upon which it was founded.

For the last 25 years, more than 120,000 Americans serving as Peace Corps volunteers in nearly 90 Third World countries, have been sewing threads of peace and friendship. The responsibility, challenges, and sense of independence which Peace Corps volunteers experience positively affect these individuals throughout their entire lives. My own experience has shown me that returned Peace Corps volunteers can be an invaluable asset to most organizations. In fact, Cathy Garman, staff director of the Small Business Subcommittee on General Oversight and the Economy which I chair, has been a treasured addition to my staff for a number of years.

Upon this occasion of the Peace Corps' silver anniversary, we must celebrate not only the experience of all those Americans who serve or have served as volunteers, but also the strengthening of the bond between the peoples of the United States and the Third World. A program devoted to the betterment of mankind, the Peace Corps truly provides a service to humanity. I would like to commend all those individuals who have made the Peace Corps a success, and I extend my best wishes and sincerest hope for an equally successful and productive future.

#### ACID RAIN LEGISLATION

#### HON. SILVIO O. CONTE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. CONTE. Mr. Speaker, acid rain is killing and will continue to kill as long as the legislative solution to this problem is bottled up in a committee of this House.

Last April, a bipartisan group of our colleagues introduced H.R. 4567, a well balanced and sensitive Acid Rain Control Program. Rather than mandating expensive technologies, H.R. 4567 allows each State to develop its own least-cost compliance strategy. H.R. 4567 also recognizes the regional impacts inherent in any solution to the acid rain problem. The bill gives States the opportunity to preserve high-sulfur coal jobs while ensuring that residential rates increase no more than 10 percent. Finally, the bill allows Congress to make a mid-course correction in the program if one is warranted.

Mr. Speaker, despite the 171 House cosponsors and a favorable report by the subcommittee, H.R. 4567 is dying a slow death in the full Energy and Commerce Committee. If the leadership of that committee is sensitive to the economic and environmental impact of acid rain, then the House of Representatives will be given the opportunity to debate and dispose of control legislation during this session of Congress.

Mr. Speaker, I'm not the only one deeply concerned about this issue. Besides my colleagues who have worked hard to develop this legislation, national and local environmental organizations together with the millions of Americans that they represent are firmly committed to pressing for acid rain control in this session of Congress. For the RECORD, I will submit a letter sent to each Member of the House from the League of Conservative Voters. I agree with the assertion contained in this letter. Like me, "The environmental community considers acid rain to be the most pressing unaddressed environmental problem facing President Reagan and Congress."

Mr. Speaker, I urge my colleagues to join me in cosponsoring H.R. 4567 and urge my good friend JOHN DINGELL to give the House a chance to vote on an acid rain bill before we adjourn and close the 99th Congress.

LEAGUE OF CONSERVATION VOTERS,  
September 16, 1986.

HOUSE OF REPRESENTATIVES,  
Washington, DC.

DEAR REPRESENTATIVE: I want to let you know that the League of Conservation Voters will very likely make an important change in the way that we compile our annual voting chart and calculate the "LCV environmental rating" for each Representative for 1986.

The League's Voting Chart and Executive Committees will recommend to the Board at its October 3rd meeting that we list on the chart—and count in calculating the LCV score—whether each Representative cosponsored the Acid Deposition Control Act of 1986, H.R. 4567. Historically, cosponsorship of a significant environmental bill was shown in a separate column "for information purposes only", and not used in calculating individual scores.

The League plans to take this unusual step because, in the probable absence of a floor vote, it is the only way to ensure that those who take a public stand for acid rain controls gain appropriate credit for their action. H.R. 4567 is the only acid rain bill in the House of Representatives endorsed by the environmental community.

The environmental community considers acid rain to be the most pressing unaddressed environmental problem facing President Reagan and Congress. As the electoral voice of America's environmental movement, the League wishes to give proper recognition to those members of the House who have joined the fight against acid rain by cosponsoring H.R. 4567.

Cosponsors of H.R. 4567 would be credited with the same number of "points" given for each pro-environmental vote on the House floor in the League's 1986 environmental rating. Representatives who do not cosponsor this bill would lose the same number of "points" from their score. Thus, if approved by our Board, formal cosponsorship of H.R. 4567 would be given equal weight to an actual House floor vote.

I wanted to give you advance notice of this change, since it will affect the environmental voting record of each Member of the House. Should you have any comments, I will certainly share them with our Board members.

Sincerely yours,

ALDEN MEYER,  
Executive Director.

#### ESSAY WINNERS: "HEALTHY MIND—HEALTHY BODY—NO DRUGS"

#### HON. WILLIAM E. DANNEMEYER

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. DANNEMEYER. Mr. Speaker, it is disturbing to know that many grade school children are becoming involved in abusing drugs. In an effort to educate our young people, teachers throughout the country are encouraging their students to speak out against the use of drugs. Sixth grade students were asked to contribute their thoughts about the effects of drug abuse in a competition which involved writing an essay entitled, "What I Would Do If Offered Drugs and as a Good Citizen, How I Can Help my Community."

Five sixth grade students from schools throughout my congressional district were selected as winners in the local essay competition. One of these five essays was entered into the national competition. Andrew Hoffman was selected from the five local winners. The national winner will be invited, with his or her parents, to visit Congress, the White House, and to participate in the 1987 Cherry Blossom Festival.

I am pleased to see teachers and students joining together in the crusade against drug abuse. Following are the remarks of those five students selected as winners from my congressional district:

(1) Andrew Hoffman; St. Norbert School; Orange, CA; Mrs. Biale/Mrs. Young, teachers; Sister Frances O'Leary, principal.

I would say no. Some people tell you that some drugs aren't bad for you. They're all

bad for you. Drugs can ruin your body. They can kill your brain cells. You would have to be really dumb to take drugs. It would be very hard to say no, but I would.

To be a good citizen I have to be a good leader. I also have to be a good follower. I have to follow the laws to make my community a better place in which to live. But I can be a good leader by improving the laws that people have made for us.

(2) Jennifer Romo; St. Mary's School; Fullerton, CA; Sister M. Mulhern, teacher; Sister JoAnne Eannareno, principal.

If I were offered drugs I would say "No!" and ignore the person. I wouldn't take drugs because I don't want to ruin my life when it just started. I think people who sell and take drugs are airheaded—or soon to be—if they keep using drugs.

To be a good citizen I can follow the rules for crossing streets and riding bikes. I will not litter and pick up litter at parks so it will be a clean and enjoyable place to go. I could take the drug program my community offers—and live by it!

(3) Tiffany Everett; Dr. Albert Schweitzer School; Anaheim, CA; Ann Morris, teacher; John A. Allison, principal.

If I were offered drugs I wouldn't take them. I would tell the pusher dope was dumb. All dope does is mess up your brain and make you do things you don't want to do. I would walk away and try to avoid those who were selling the drugs.

As a good citizen I would go to schools and talk about drugs. I'd open a place where people who are hooked on unprescribed drugs could get help. I would start a school for people who want to help others who are hooked on drugs.

(4) Duc Pham; Maxwell School; Anaheim, CA; Miss Kathy Duncan, teacher; George Busdecker, Jr., principal.

I would say no, and tell the guy who offered me it if he thinks he is being smart by taking the drugs. I would tell him if I had a chance of picking a best friend he wouldn't be on the list. Then I'd tell him not to kill himself.

I can help by not taking drugs, and have signs up saying that we kids are the future for our country. Our country needs kids that grow up to be something, but it's not for kids who take drugs.

(5) Melissa Masinsin; Pacific Drive Elementary School; Fullerton, CA; Mr. Alvin Maynard, teacher; Mrs. Adeline Civretta, principal.

If I was ever offered drugs, I wouldn't take them. I know what drugs could do to my health and to my appearance. It could be very dangerous, too. A lot of kids and teen-agers try them and soon they begin to depend on them more and more. I will never take drugs, even if my friends do.

I can help my community by influencing younger kids not to take drugs and alcohol because they are bad for them. They are bad for their bodies and their health. I can also try to talk to kids that are older than me to try to stop them from getting addicted to drugs so that we could have a better community.

## NATHAN HALE DAY

### HON. SAM GEJDENSON

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. GEJDENSON. Mr. Speaker, I rise today to pay tribute to a great American hero, Nathan Hale. Hale, who was born in Coventry, CT, in June, 1755, was one of the greatest heroes of the American Revolution. After graduating from Yale University in 1773, Nathan Hale pursued a teaching career in East Haddam and New London CT, and eventually became active in the movement for American liberty and independence.

In 1775, he was commissioned a lieutenant in the Army by the General Assembly of Connecticut, and by January 1776 was promoted to captain, serving in the famed "Knowlton's Rangers."

In September of 1776, General Washington needed someone to gather intelligence about British activities in New York, and Nathan Hale was the sole volunteer for this dangerous assignment. Disguised as a schoolmaster, he went to Long Island, made sketches of enemy lines, and obtained other valuable information concerning British activities in New York. En route back, and within a short distance of friendly lines, Hale was captured as a spy. A British general, impressed with his talents, offered to spare his life if he would join the British in fighting the Americans. Hale refused, and, on September 22, 1776, was hanged. His well-known last words, of course, were "I only regret that I have but one life to lose for my country."

In 1985, the Connecticut General Assembly made Nathan Hale the official State hero, an honor well befitting the sacrifice made by this courageous man. This legislation was passed through the efforts of Jonathan L. Johnson, Sr. of Groton, CT, who serves as the chairman of the Hale Hero Committee of Connecticut. I commend Mr. Johnson for his efforts, and join with him and all other residents of the State of Connecticut in paying homage today to a great American, Nathan Hale.

## CONGRATULATIONS TO NATO ESSAY CONTEST WINNER

### HON. ROBERT GARCIA

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. GARCIA. Mr. Speaker, Marc Wantz, a high school student from Luxembourg, recently won an essay contest on the importance of NATO to the United States and Western Europe. The contest, which was sponsored by the Atlantic Council, had as its first prize a trip to the United States.

I am inserting in the RECORD Marc's fine essay for my colleagues' perusal. I also want to extend to him on behalf of Congress a hearty welcome. I hope he finds his stay both informative and rewarding.

WE ARE FREE BECAUSE YOU WERE STRONG

History shows that countries are invaded because they are weak. On September 29th-

30th 1938, the leaders of Europe, Chamberlain, Daladier, Hitler and Mussolini met in Munich to sign a treaty. This stipulated that the Germans could occupy the "predominantly German territory" in Czechoslovakia, but Hitler annexed the whole country and World War II broke out. On his return to England, Chamberlain said with great joy: "My good friends, this is the second time in our history that there has come back from Germany to Downing Street peace with honour. I believe it is peace in our time."

However the weakness shown at Munich had disastrous consequences. The only one that saw what really happened, was Churchill, who said: "We have sustained a total, unmitigated defeat . . . And do not suppose that this is the end. It is only the beginning."

So the result of the agreement of Munich was oppression for Europe and a disastrous dictatorship, which cost millions of innocent lives. The final liberation of Europe was due to the "Allies". The bravery of these soldiers is shown by the following words by General Patton: "How human beings could endure this continuous fighting at sub-zero temperatures is still beyond my comprehension." On December 22nd 1944, when the Germans gave General McAuliffe an ultimatum to surrender at Bastogne, he replied with only one word: "Nuts". Because of this perseverance, the Europeans feel gratitude to the "Allies" for restoring their liberty.

Liberty and peace are nowadays assured by NATO. Since the foundation of this organization in 1949, there has been no armed conflict in Europe. This time of peace would not have lasted without a great military power behind us. We know that the Soviets will not risk war, unless they are sure they can win, and so if NATO were to be dissolved, there would be no unified force to counter a Soviet aggression. We must not take our peace and freedom for granted! The strength of NATO prevents us from falling once more under the control of a dictatorship.

## THE IMPORTANCE OF FLIGHT ATTENDANTS

### HON. THOMAS J. DOWNEY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. DOWNEY of New York. Mr. Speaker, I rise today to pay tribute to the flight attendants in this Nation whose contribution to the safety of the flying public can not be exaggerated.

The flight attendant has too often been taken for granted as only a provider of creature comforts. Today, the responsibilities of the flight attendant include limited to monitoring aircraft safety, handling medical emergencies, and executing evacuations within seconds. And with the growing number of terrorist attacks aboard airplanes, it is the flight attendant that must act as a buffer between terrorists and their victims, putting their lives on the line on behalf of those in their charge. Tragically, they are often victims themselves.

During the recent terrorist attack aboard a Pan Am flight, it was the cabin crew that assumed charge of the aircraft and responsibility for the passengers after the three ranking



crew members escaped from the plane. FAA policy dictates that during a hijacking, the cockpit's responsibility is to immobilize the aircraft by exiting if possible. This highlights the need for professional, experienced cabin crew members, capable of executing their responsibilities in terrifying and dangerous circumstances.

Recent events, however, indicate that the airline industry and the Federal Government have underestimated the invaluable role these women and men play in protecting our lives.

Nowhere is this more clearly demonstrated than at Trans World Airlines. TWA, whose flight attendants on the infamous flight 847, were honored for their outstanding performance during that flight's hijacking, were the models for others to follow. The flight attendants on that flight performed the duties they were trained to do, and any one of the nearly 50,000 American flight attendants could have risen to meet the grueling demands of that situation.

Yet today, nearly 5,000 of these proven heroes at TWA, who are predominately experienced career women, are still prevented from returning to their jobs by TWA Chairman Carl Icahn precisely because of their experience. With FAA approval, the training period for their replacements was reduced from 5 weeks to 18 days. These diminished standards have led to at least five mishandled emergencies involving TWA aircraft since March 1986, when the labor dispute began. Hundreds of additional safety violations have also been filed with the FAA by the flying public. Now, when 75 percent of TWA's current flight attendant workforce has less than 6 months experience, public interest and safety continue to be jeopardized.

It is time that this Nation recognize the important contributions flight attendants have made to airline safety. It is time that standards for the uniform safety training of flight attendants be established and that we certify those individuals successfully completing that program. It is time action be taken to stop the blatant discrimination that TWA's flight attendants have endured. It is time that the dispute between the flight attendants and TWA be resolved, not only for the sake of fairness, but so the confidence of the flying public can once again be restored in our air transport system.

#### TRIBUTE TO REV. JOSEPH A. VIANO, S.S.P.

#### HON. JAMES A. TRAFICANT, JR.

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Monday, September 22, 1986

Mr. TRAFICANT. Mr. Speaker, I would like to take time today to pay tribute to Rev. Joseph A. Viano, who recently celebrated the 50th anniversary of his ordination to the priesthood. As a member of the Society of St. Paul since 1922, Father Viano has dedicated his entire life to the society and the good work it does. Father Viano is a respected member of the Canfield community—which is in my district—and I am honored to pay tribute to such an outstanding individual.

Father Viano is a native of Italy. Upon entering the Society of St. Paul in Alba, Italy, in 1922, Father Viano studied at Alba, Rome, and Fordham University in the Bronx, NY. He first made his profession of vows in Alba, Italy, in 1932. He was ordained a priest on August 15, 1936. Shortly after being ordained, Father Viano was assigned to work in the United States by the founder of the Society of St. Paul, Rev. James Alberione. This began Father Viano's 50 years of service in this country.

Father Viano's work took him Staten Island, NY, where he served as pastor at Our Lady of Pity Church from 1944 to 1949, while the parish was entrusted to the society. He then served as superior of the Society of St. Paul on Staten Island from 1949 to 1952, and again from 1975 to 1982. From 1968 to 1975 he served as superior of the society in Canfield, OH.

Always seeking to reach to those in need and to spread the work and teachings of the society, Father Viano was sent to Detroit in 1953 as the first member of the society to open a new house. He stayed in Detroit for 10 years, serving as editor of an English-Italian newspaper, "Voice of the People." Everywhere he has gone, Father Viano has displayed a rare dedication to his faith and to his parishioners. He has also been a valuable community member, and the citizens of Canfield will be forever grateful to the many contributions he has made to that community.

Father Viano is also an accomplished author, having several books published, most recently, a book entitled "Two Months With Mary," released in 1985. Father Viano's 50th anniversary as an ordained priest was celebrated on September 7, 1986, at the Society of St. Paul Chapel, in Canfield. Additional celebrations for Father Viano were on September 14 at the Society of St. Paul Chapel in Dearborn, MI, and on September 21 on Staten Island at the Society of St. Paul Chapel.

In closing, I would like to express my admiration and sincere congratulations to Father Viano on the occasion of his 50th anniversary. I am pleased to have this opportunity to pay tribute to him and the fine work he has done and continues to do.

#### SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate on February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place, and purpose of the meetings, when scheduled, and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Any changes in committee scheduling will be indicated by placement of an asterisk to the left of the name of the unit conducting such meetings.

Meetings scheduled for Tuesday, September 23, 1986, may be found in the Daily Digest of today's RECORD.

#### MEETINGS SCHEDULED

##### SEPTEMBER 24

9:00 a.m.  
Energy and Natural Resources  
Business meeting, to consider pending calendar business. SD-366

9:30 a.m.  
Commerce, Science, and Transportation  
Business meeting, on pending calendar business. SR-253

Governmental Affairs  
Permanent Subcommittee on Investigations  
To resume hearings on emerging foreign criminal groups in the United States. SD-342

Select on Intelligence  
To hold closed hearings on intelligence matters. SH-219

10:00 a.m.  
Agriculture, Nutrition, and Forestry  
To hold hearings on the nomination of Jim R. Billington, of Oklahoma, to be a Member of the Farm Credit Administration Board, Farm Credit Administration. SR-332

Judiciary  
Courts Subcommittee  
To hold hearings on S. 2531, Bankruptcy Antifraud Act of 1986. SD-226

Labor and Human Resources  
Business meeting, to consider S. 2771, to require the Food and Drug Administration to determine the appropriate regulatory classification of the transitional devices of the Medical Device Amendments of 1976, S. 2772, to allow more than one pharmaceutical company to undertake simultaneous development of an orphan drug, S. 2148, to require that wages based on individual productivity be paid to handicapped workers employed under certificates issued by the Secretary of Labor, S. 2688, to authorize grants to university graduate programs which provide training in the care of elderly persons with developmental disabilities, S. 2402, to improve access to health insurance coverage for Americans, and pending nominations. SD-430

2:00 p.m.  
Rules and Administration  
To resume hearings on the nomination of Thomas J. Josefiak, of Virginia, to be a Member of the Federal Election Commission. SR-301

##### SEPTEMBER 25

9:30 a.m.  
Agriculture, Nutrition, and Forestry  
Agricultural Research, Conservation, Forestry, and General Legislation Subcommittee  
To hold hearings on S. 2685, to designate certain lands in the Cherokee Na-

tional Forest in Tennessee as wilderness areas, and S. 2782, to designate the Sipsey River in Alabama as a component of the National Wild and Scenic Rivers System.

SR-332

Energy and Natural Resources  
Business meeting, to consider pending calendar business.

SD-366

Labor and Human Resources  
Employment and Productivity Subcommittee

To hold hearings on the employment impact of United States/Japan auto parts trade relations.

SD-430

10:00 a.m.

Armed Services

To hear and consider the nominations of Robert B. Barker, of California, to be Chairman of the Military Liaison Committee to the Department of Energy, William A. Clinkscales, of Virginia, to be Director of the Selective Service System, and James F. McGovern, of Virginia, to be Under Secretary of the Air Force.

SR-222

Environment and Public Works  
To hold hearings on S. 2203, to establish a program to reduce acid deposition and other forms of air pollution.

SD-406

Judiciary

Business meeting, to consider pending calendar business.

SD-226

2:00 p.m.

Labor and Human Resources

To hold oversight hearings on activities of the Mine Safety and Health Administration.

SD-430

## SEPTEMBER 26

9:30 a.m.

Governmental Affairs

Intergovernmental Relations Subcommittee

To hold hearings on comprehensive federalism reform.

SD-342

10:00 a.m.

Environment and Public Works

To continue hearings on S. 2203, to establish a program to reduce acid deposition and other forms of air pollution.

SD-406

## SEPTEMBER 29

9:30 a.m.

Finance

Taxation and Debt Management Subcommittee

To hold hearings on S. 1974 and S. 1113, bills to prohibit the imposition by States of the worldwide unitary method of taxation.

SD-215

## SEPTEMBER 30

10:00 a.m.

Environment and Public Works

To resume hearings on S. 2203, to establish a program to reduce acid deposition and other forms of air pollution.

SD-406

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold hearings on United States trade relations with Taiwan and Korea.

SD-419

## OCTOBER 1

9:30 a.m.

Commerce, Science, and Transportation

To hold oversight hearings on activities of the National Highway Traffic Safety Administration, and the implementation of the Motor Carrier Safety Act of 1984.

SR-253

10:00 a.m.

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

2:00 p.m.

Foreign Relations

East Asian and Pacific Affairs Subcommittee

To hold oversight hearings on the North Pacific drift net fisheries.

SD-419

10:00 a.m.

Energy and Natural Resources

Business meeting, to consider pending calendar business.

SD-366

Environment and Public Works

To resume hearings on S. 2203, to establish a program to reduce acid deposition and other forms of air pollution.

SD-406

## CANCELLATIONS

## SEPTEMBER 23

10:00 a.m.

Labor and Human Resources

Children, Families, Drugs, and Alcoholism Subcommittee

To hold hearings to review proposed drug testing measures.

SD-430

## SEPTEMBER 24

9:30 a.m.

Environment and Public Works

Nuclear Regulation Subcommittee

To hold hearings to review nuclear power safety measures in the aftermath of the Chernobyl nuclear power-plant accident.

SD-406

## SEPTEMBER 26

9:30 a.m.

Commerce, Science, and Transportation

Aviation Subcommittee

To hold hearings on proposed legislation authorizing funds for the Airport and Airway Trust Fund.

SD-253